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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/817,537

04/01/2004

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4879

7590

10/05/2006

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EXAMINER

HO, BINH VAN

ART UNIT

PAPER NUMBER

2163

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/817,537

Applicant(s)

WOODROFFE ET AL.

Examiner

Binh V. Ho

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/19/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Cohn (U.S 2002/0010651).

(Claims 1, 6, and 8)

Cohn discloses in figures 2-6, 8-12, 14, 17-18, 21-24, and 27, a server for facilitating a vendor showcase system, wherein the server communicates with clients via a distributed computing network, and wherein the server comprising (a) a memory storing an instruction set and vendor data related to a plurality of vendors; and (b) a processor for running the instruction set, the processor being in communication with the memory and the distributed computing network, wherein the processor is operative to (i) sort the vendor data based upon category; (ii) receive criteria related to a request for information; and (iii) provide a display of the vendor data for a pre-selected number of vendors based upon the criteria, wherein the display of the vendor data is presented in a flat manner (Paragraph [0004], [0005], [0007], [0009], [0010], [0051], [0052], [0055], [0057], [0062], [0064], [0068], [0074], [0077], [0078], [0082], [0094], [0148], [0151], and claim 1).

(Claims 2, and 3)

Cohn discloses in figures 2-4, 7, 11-12, 14-18, 23, and 27 the criteria being regional and category data (Paragraph [0005], [0011], [0051], [0052], [0055], [0057], [0062], [0064], [0078], [0082], [0104], [0106], [0107], [0114], and claim 9).

(Claims 4, and 5)

Cohn discloses in figures 11, 17, 23, and 27 further comprising an inquiry form within the display (Paragraph [0052], [0055] and [0094]).

(Claims 7)

Cohn discloses the investment statistics include a total dollar value based upon a user-selected valuation of each usage event (Paragraph [0052], [0055], and [0091]).

(Claims 9)

Cohn discloses the first, second and third means being program instructions stored in memory (Paragraph [0009], [0095], and [0151]).

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Applicant Admitted Prior Art in Paragraph [0008]-[0009].

(Claims 1, and 8)

Application Admitted Prior Art disclosed a server for facilitating a vendor showcase system, wherein the server communicates with clients via a distributed computing network, and wherein the server comprising (a) a memory storing an

Art Unit: 2163

instruction set and vendor data related to a plurality of vendors; and (b) a processor for running the instruction set, the processor being in communication with the memory and the distributed computing network, wherein the processor is operative to (i) sort the vendor data based upon category; (ii) receive criteria related to a request for information; and (iii) provide a display of the vendor data for a pre-selected number of vendors based upon the criteria, wherein the display of the vendor data is presented in a flat manner (Paragraph [0008]-[0009]).

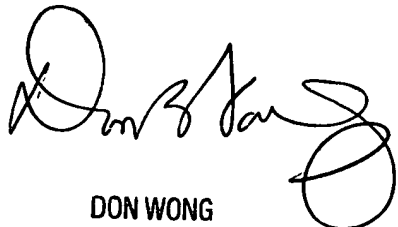
Inquiry

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh V. Ho whose telephone number is 571 272 8583. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Binh V Ho
Examiner
Art Unit 2163



DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100